



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

January 19, 2016

**BY ECF**

The Honorable Vernon S. Broderick  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: United States v. Francis Lorenzo, a/k/a "Frank Lorenzo,"  
15 Cr. 706 (VSB)**

Dear Judge Broderick:

The Government respectfully writes in response to the Court's January 13, 2016 Order in connection with defendant Francis Lorenzo's Motion to Dismiss the Indictment in the above-captioned matter. In particular, we write in connection with the tenth question listed in Your Honor's order, which asks whether Lorenzo had or has an identity card issued by the United States Department of State.

The undersigned have conferred with the State Department, including the Office of Host Country Affairs at the United States Mission to the United Nations. According to the State Department, Lorenzo was not issued a Department of State identification card of any kind: neither a Diplomatic Identification Card, nor a separate card referred to as an Official Identification Card. The State Department informs us that Lorenzo was not eligible for a Diplomatic Identification Card because, as a United States citizen, he did not enjoy diplomatic privileges and immunities. Likewise, the State Department informs us that Lorenzo was not eligible for an Official Identification Card because, although it would describe the bearer as enjoying official acts immunity, Department of State criteria for issuance of that card to the staff of foreign permanent missions to the United Nations require that the bearer both be a national of the sending country and hold a visa in the "G" category, which is a visa for foreign nationals who work as diplomats or foreign government officials accredited to designated International Organizations in the United States. Since Lorenzo was a United States citizen at all pertinent times, he would not have been eligible for such visa (or any other United States visa).

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In light of the foregoing, the Government cannot produce a copy of Lorenzo's State Department identity card to him or to the Court, because no such card existed or exists.

Respectfully submitted,

PREET BHARARA  
United States Attorney

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cc: Brian Bieber, Esq.